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FORT LAUDERDALE CITY COMMISSION
DECEMBER 18, 2001**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
December 18, 2001**

Meeting was called to order at 6:20 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Gloria Katz
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Roddy

Invocation was offered by *Dr. Diane Mann, Senior Pastor, Fourth Avenue Church of God.*

Pledge of Allegiance to the Flag.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting November 20, 2001

Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle.
NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Expressions of Sympathy

Mayor Naugle presented an Expression of Sympathy to the family of *Lenore Hochman* on behalf of the City Commission.

2. Citizens Volunteer Corps – Lauderdale Manors Paint Project

Commissioner Katz presented certificates of appreciation to all the citizen volunteers and staff that participated in the Citizens Volunteer Corps (CVC) Lauderdale Manors paint project on November 17 and December 1, 2001.

3. Community Appearance Board WOW Award – District I

Commissioner Katz presented the Community Appearance Board's WOW Award to

Carol and Larry Smith
1461 Northeast 57th Place, Coral Ridge Isles

She reported that this distinctive one-story house had lush tropical landscaping, forest green shutters and doors, and a brick paver circular driveway to accent the clean design of the home. Commissioner Katz felt the Smiths had created a welcoming and friendly residence that is a harmonious asset to the neighborhood. She congratulated the Smiths and presented them with a \$50 gift certificate. Commissioner Katz also thanked them for making Fort Lauderdale a better community.

Commissioner Katz welcomed the monthly WOW Award's new sponsors Lennar Homes and AMAR Hardware. Lennar had generously provided funding for the display ad that would appear in tomorrow's newspaper, and was a partner with AMAR Hardware in providing the gift certificate that the WOW winners received.

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Las Olas Art Fair (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Las Olas Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Las Olas Art Fair** to be held **Saturday and Sunday, January 5 and 6, 2002, from 10:00 a.m. to 5:00 p.m.** in the East Las Olas Boulevard shopping district; and further authorizing the closing of East Las Olas Boulevard from S.E. 6 Avenue to S.E. 11 Avenue from 4:30 a.m. Saturday, January 5 to 10:00 p.m. Sunday, January 6, 2002.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1875 from City Manager.

Agreements and Transfer of Port Connections for the NovaNet Computerized Courseware System – The Institute of Community Empowerment Inc. and The Museum of Discovery and Science (M-2)

A motion authorizing the removal of port connections for the NovaNet Computerized Courseware System (NNCCS) from non-use sites and transfer such port connections to other community programs as follows: 24 port connections to The Institute of Community Empowerment Inc. located at 1121 N.W. 5 Street, and up to 24 port connections to the Museum of Discovery and Science; and further authorizing the proper City officials to execute agreements with The Institute of Community Empowerment Inc. and the Museum of Discovery and Science to allow receipt of funds in support of the installation of the (NNCCS).

Recommend: Motion to approve.
Exhibit: Memo No. 01-1647 from City Manager.

Appropriation and Transfer of Law Enforcement Trust Funds – Juvenile Alternative Motivation Program (JAM) (M-3)

A motion authorizing the proper City officials to appropriate and transfer \$20,000 of Confiscated Asset Forfeiture Funds/Law Enforcement Trust Funds to support the JAM Program effective October 1, 2001.

Funds: Transfer \$20,000 from Fund 107 to Fund 129 (Miscellaneous Grants, GJAM02 – Revenue)

Recommend: Motion to approve.
Exhibit: Memo No. 01-1852 from City Manager.

Agreement – MDM Group, Ltd. Inc. – Sponsorship for Mills Pond Park Baseball Scoreboard (M-4)

A motion authorizing the proper City officials to execute an agreement with MDM Group Ltd., Inc. for sponsorship of the Mills Pond Park baseball scoreboard.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1892 from City Manager.

Grant Agreement – Broward County – Emergency Medical Services (EMS) Equipment (Semi-Automatic External Defibrillation and Automatic Ventilators) (M-5)

A motion authorizing the proper City officials to execute a grant agreement with Broward County to accept funds in the amount of \$52,623 in order to purchase semi-automatic external defibrillation and automatic ventilator equipment.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1876 from City Manager.

**Lease Agreement – Flotilla Two, Inc. -
U. S. Coast Guard Auxiliary Building, 601 Seabreeze Boulevard (M-6)**

A motion authorizing the proper City officials to execute a one-year lease agreement with Flotilla Two, Inc. for use of the U. S. Coast Guard Auxiliary Building located at 601 Seabreeze Boulevard, for a term commencing January 1, 2002 through December 31, 2002.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1860 from City Manager.

**Parking Fee Schedule –
Cooley’s Landing Boat Ramp Parking Fees (M-7)**

A motion authorizing the parking fee schedule for vehicular and trailer parking at Cooley’s Landing boat ramp facility located at 450 S.W. 7 Avenue.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1798 from City Manager.

**Disbursement of Funds/
Joint Investigation – O. R. No. 00-6022 - \$735.35 U. S. Currency (M-8)**

A motion authorizing the equitable disbursement of \$735.35 in funds, with each of the 15 participating agencies to receive \$49.02.

Recommend: Motion to approve.
Exhibit: Memo No. 01-12-2 from City Attorney.

**Disbursement of Funds/
Joint Investigation – O. R. No. 01-86932 - \$7,364.36 U. S. Currency (M-9)**

A motion authorizing the equitable disbursement of \$7,364.36 in funds, with each of the 15 participating agencies to receive \$490.95.

Recommend: Motion to approve.
Exhibit: Memo No. 01-12-3 from City Attorney.

**Disbursement of Funds/
Joint Investigation – O. R. No. 99-158594 - \$5,708.63 U. S. Currency (M-10)**

A motion authorizing the equitable disbursement of \$5,708.63 in funds, with each of the 16 participating agencies to receive \$356.78.

Recommend: Motion to approve.
Exhibit: Memo No. 01-12-4 from City Attorney.

Disbursement of Funds/

Joint Investigation – O. R. No. 99-133681 - \$587,558.64 U. S. Currency (M-11)

A motion authorizing the equitable disbursement of \$587,558.64 in funds, with each of the 17 participating agencies to receive \$34,562.27.

Recommend: Motion to approve.

Exhibit: Memo No. 01-12-5 from City Attorney.

Community Development Block Grant (CDBG)

Funds – Reimbursement for FY 2001/2002 Administrative Expenses (M-12)

A motion authorizing the reimbursement of \$50,000 in CDBG funds to the Community Development Division for Fiscal Year 2001/2002 for administrative expenses.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1880 from City Manager.

Consulting Service and Other Related Expenses – The Cardwell Firm -

Konover Site Development Project (West of I-95 on Broward Boulevard) (M-13)

A motion authorizing the Fort Lauderdale Community Redevelopment Agency (CRA) to utilize the Konover Project Land Inventory Account in the amount of \$40,000 for The Cardwell Firm.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1523 from City Manager.

Agreement - Grant Writing Services –

Downtown Development Authority (DDA) (M-14)

A motion authorizing the proper City officials to execute an agreement with the DDA to allow for use of the City's agreement for grant consultants.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1835 from City Manager.

Contract Award – MBR Construction, Inc. –

Project 9425 – Harbor Beach Entrance and Roadway Improvements (M-15)

A motion authorizing the proper City officials to execute an agreement with MBR Construction, Inc. in the amount of \$1,339,730.95 for the Harbor Beach entrance and roadway improvements.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1834 from City Manager.

**Contract Award – B. K. Marine Construction, Inc. –
Project 10367 – Sailboat Bend Seawall Replacement (M-16)**

A motion authorizing the proper City officials to execute an agreement with B. K. Marine Construction, Inc. in the amount of \$111,127.59 for the Sailboat Bend seawall replacement.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1831 from City Manager.

**Contract Award – Colonna Construction Company, Inc. –
Project 10288 – Bermuda Riviera Sidewalk Installation (M-17)**

A motion authorizing the proper City officials to execute an agreement with Colonna Construction Company, Inc. in the amount of \$68,787.50 for the installation of sidewalks in the Bermuda Riviera neighborhood.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1713 from City Manager.

**Task Order – Recreational Design and
Construction, Inc. (RDC) – Project 9793 – Harbour Isles of
Fort Lauderdale, Inc. (HIFLI) – Inlet Beach Improvements (IBIS) Project (M-18)**

A motion authorizing the proper City officials to execute a task order with RDC in an amount not to exceed \$567,091 to design and construct the Harbour Isles neighborhood improvements under the IBIS special assessment project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1832 from City Manager.

**Change Order No. 2 – F & L Construction, Inc. –
Project 10250-A – Paving Work for the Bayview Drive Corridor..... (M-19)**

A motion authorizing the proper City officials to execute Change Order No. 2 with F & L Construction, Inc. in the amount of \$75,688.64 for paving work at the paver inserts along the Bayview Drive corridor.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1833 from City Manager.

**Acceptance of Donation –
Florida Engineering Society (FES), Broward Chapter -
Project 10434 - Construction of the Lauderdale Manors Playground Facility (M-20)**

A motion authorizing the proper City officials to accept a donation in the amount of \$12,500 from the Florida Engineering Society, Broward Chapter, for the construction of the Lauderdale Manors Playground facility.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1839 from City Manager.

**Transfer from General Fund Contingencies -
Florida League of Cities – Request for Funds in Support of
Public Service Announcements for Tourist Destination Cities (M-21)**

A motion authorizing the transfer of \$25,000 from General Fund Contingencies to Public Information (MGR090101, Account 3201) to fund public service announcements on tourism.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 01-1911 from City Manager.

PURCHASING AGENDA

Bid 522-8576 – Securing and Board Up Services (Pur-1)

Two-year agreement for emergency securing and board up is being presented by the Community and Economic Development, Community Inspections Bureau.

Low Responsible Bidder: A Quick Board-Up Services, Inc.
Hallandale, FL
Amount: \$ 25,000.00 (estimated annual)
Bids Solicited/Rec'd: 27/3 with 0 no bid
Exhibits: Memorandum No. 01-1812 from City Manager

The Procurement and Materials Management Division recommends award to the lowest responsive and responsible bidder.

Proprietary – Maintenance Fire/EMS ADAM and CAD Analysts (Pur-2)

An annual agreement for the maintenance of Fire/EMS ADAM and CAD analysts is being presented for approval by the Fire Rescue Department.

Low Responsible Bidder: Deccan, Inc.
San Diego, CA
Amount: \$ 14, 850.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1799

The Procurement and Materials Management Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Proprietary – Online Computer Based Education Network System (Pur-3)

An annual renewal for an online computer based education network system is being presented for approval by the Police Department.

Low Responsible Bidder: NCS Learn, Inc.
Champaign, IL
Amount: \$ 194,525.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1827 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to approve the proprietary purchase.

RFP 512-8415 – Records Management and Imaging System Software (Pur-4)

An agreement for the purchase of records management and imaging system software and hardware with five years maintenance and support is being presented by the Administrative Services, Information Technology Division.

Low Responsible Bidder: Identitech, Inc.
Fort Lauderdale, FL and various vendors
Amount: \$ 575,143.70 (estimated)
Bids Solicited/Rec'd: 83/12 with 5 no bid
Exhibits: Memorandum No. 01-1859 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to award to the first ranked proposer with the transfer of \$340,992 from the Parking Fund to the General Capital Projects Fund.

Proprietary – Telephone Switch and Execution of Addendum (Pur-5)

An agreement to purchase supplemental telephone switch and approval to execute an addendum is being presented for approval by the Administrative Services, Telecommunications Division.

Low Responsible Bidder:	NextiraOne, LLC Fort Lauderdale, FL
Amount:	\$ 36,000.00 (not to exceed)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 01-1902 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to approve the proprietary purchase and execute addendum.

Mayor Naugle announced that Consent Agenda **Item No. M-2** had been **deleted** from the agenda and would not be considered this evening.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-4, M-6, M-7, M-13, M-15, M-19, M-20, M-21 and Pur. 4 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Agreement – MDM Group, Ltd. Inc. –
Sponsorship for Mills Pond Park Baseball Scoreboard (M-4)**

Commissioner Katz had thought that the MDM Group was supposed to pay cash for City services associated with the Air & Sea Show. Mr. Vince Gizzi, Parks & Recreation Department, stated that there was an agreement, which provided for a \$25,000 credit towards the service costs by providing sponsorship opportunities of this nature. In this case, MDM Group was giving the City \$16,000, and there would be advertising on the Scoreboard.

Commissioner Katz asked if there was a similar arrangement for Holiday Park. Mr. Gizzi replied there was, and Little League was going to sell sponsorships in Holiday Park. Commissioner Katz requested additional information about the agreement with MDM Group. Mr. Gizzi advised that the current agreement had a term through 2002, and then there was an option to renew for three more years. Commissioner Katz thought the Commission should review it when the term expired. Commissioner Hutchinson agreed.

Commissioner Moore asked why the sponsorship was being provided at Mills Pond Park rather than Holiday Park. Mr. Gizzi replied that the Little League organization would be selling sponsorships at Holiday Park for their programs. In this case, MDM Group had sold sponsorships so the City would gain the scoreboard at the softball complex at a cost of \$16,000. Commissioner Moore wondered how much the Little League would gain through sponsorships. Mr. Gizzi did not know. He stated that was a matter between the organization and its sponsors.

Commissioner Moore understood the MDM Group would pay \$16,000 for the new scoreboard at Mills Pond Park, and it would be able to advertise on that scoreboard forever. Mr. Gizzi clarified that the term of the advertising would be ten years as that was about how long such scoreboards lasted. Commissioner Moore did not support this item. Commissioner Katz was concerned because the MDM Group would essentially be paying \$16,000 for ten years of advertising, and that amount was credited against what was owed to the City for services provided during the Show. Mayor Naugle pointed out that was the agreement that had been made and approved by the City Commission.

The City Manager stated that the MDM Group had to pay for the services that were actually provided, but a contribution beyond those costs had been included in the agreement in the amount of \$25,000 per year. Commissioner Moore had many questions about this issue, and he preferred to defer the item until he could meet with staff and get more information. Mayor Naugle desired a Conference discussion in this regard as well.

Mr. John Williams, Director of the Air & Sea Show, explained that the City had approached the MDM Group and asked for assistance in selling sponsorships to offset costs. He stated that since the Air & Sea Show had been selling sponsorships for years, it had developed relationships with various corporations and organizations over the years. Mr. Williams said that sponsorships sufficient to cover the cost of two new scoreboards had been obtained in the first year at a value of \$36,000. Of that amount, \$11,000 had been rolled over to the second year. In the second year, rather than selling sponsorships, the MDM Group had essentially purchased the scoreboard at Mills Pond Park for its own advertising.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this item to January 8, 2002. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Lease Agreement – Flotilla Two, Inc. –

U.S. Coast Guard Auxiliary Building, 601 Seabreeze Boulevard (M-6)

Commissioner Moore wondered why the term of this lease agreement was only one year. Mr. Jamie Hart, Supervisor of Marine Facilities, explained that until construction plans for the A-1-A realignment were completed, no one knew the impact it might have on this property. Commissioner Moore asked if any other location was being sought. He pointed out that this organization provided a tremendous service to the community. Mr. Hart replied that staff was not actively seeking another site, but it could be done if it were determined that the road project would have an impact on this site. At this point, it did not appear a move would be necessary, but that was not known for certain. Commissioner Moore hoped staff could examine ways to build a more solid relationship with this organization. Commissioner Smith concurred, but as a member of the Board of the Coast Guard Flotilla, he expected the organization to be working with Fort Lauderdale for a long time to come.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-6 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Consulting Service and Other Related Expenses –
The Cardwell Firm – Konover Site Development Project
(West of I-95 on Broward Boulevard) (M-13)**

Commissioner Katz noted that the money for these expenses was coming from the General Capital Improvements Program (CIP) Fund. She was concerned about all the money that was being spent from this Fund, and she hoped there was an understanding that the funds would have to be repaid to that Fund. Mayor Naugle believed the Commission could designate this as a loan. Mr. Damon Adams, Director of Finance, explained that this really was something of a loan. He explained that these costs were being capitalized as part of the cost of the land being assembled, and the intent was to recover the costs from the developer.

Mayor Naugle pointed out that if no agreement was reached with a developer, due to the economy or other reason, these monies would not be reimbursed. Mr. Adams agreed that was true. Mayor Naugle believed a loan could be made from this Fund to the CRA in order to recover costs in the future. Mr. Adams believed that if this made a loan, another developer would have to be located to consummate the future transaction. Mayor Naugle understood that, but the CRA would essentially be repaying the loan. Commissioner Smith pointed out that when the loan was originally made for land, the CRA had 24 months to repay it, but 36 months had passed, and the loan had not been repaid. The City Manager agreed the City Commission had agreed to extend the term as some activity was commencing on the site.

Motion made by Commissioner Katz and seconded by Commissioner Moore to approve Consent Agenda Item No. M-13 with the provision that it would become a loan if a transaction was not consummated within 12 months. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Contract Award – MBR Construction, Inc. – Project 9425 –
Harbor Beach Entrance and Roadway Improvements (M-15)**

Mr. Hal Barnes, Engineering Division, advised that a revision was necessary to the bid tabulation distributed to the City Commission. He explained that due to the \$15,000 cost of permitting, the amount of this contract was \$1,354,730.95.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve Consent Agenda Item No. M-15 as clarified. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Change Order No. 2 – F & L Construction, Inc. –
Project 10250A – Paving Work for the Bayview Drive Corridor (M-19)**

Commissioner Smith wondered if there were other locations in the City with this type of paver brick installation. Mr. Mike Fayyaz, Engineering Division, said there were other locations, and the idea was to handle others in similar fashion if this was successful on this heavily used roadway. He added that this was included in the annual contract, so most of the item prices were already fixed.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-19 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Acceptance of Donation – Florida Engineering Society (FES),
Broward Chapter – Project 10434 – Construction of the
Lauderdale Manors Playground Facility (M-20)**

Commissioner Moore wanted to say how kind the FES was in doing this in such a worthy community. He also wanted to thank Mr. Pete Sheridan, of Engineering, who had suggested the selection of the Lauderdale Manors area. Mr. Sheridan introduced *Mr. Ben Chen*, the State Director of the FES and one of the contributors.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-20 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Transfer from General Fund Contingencies – Florida League of
Cities – Request for Funds in Support of Public Service
Announcements for Tourist Destination Cities (M-21)**

Commissioner Katz wondered if the Commission would reconsider this item. She pointed out that the City had already provided \$25,000 a few months ago, and the Tourist Development Council was contributing \$500,000 to this initiative. Commissioner Katz preferred to wait and see if the City's \$25,000 was really needed.

Mr. Pete Witschen, Assistant City Manager, noted that occupancy figures had been estimated at 9% to 10% below usual, but the hoteliers had indicated today that the figure was closer to 17%. He advised that staff would be providing the exact figures.

Commissioner Smith said the reason he supported this item was because Mayor Naugle had explained that the monies were leveraged at a rate of 4 to 1. Otherwise, he would be concerned, but he felt this structure provided the greatest "bang for the buck."

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that Consent Agenda Item No. M-21 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: Commissioner Katz.

RFP 512-8415 – Records Management and Imaging System Software (Pur. 4)

Commissioner Katz felt this system was an excellent idea, but she was concerned about external security, redundancy in terms of back up, and ongoing training. Mr. Tim Edkin, IT Director, stated that the same security level used in other systems would be used in this case, and that involved a firewall to restrict access to the database. Insofar as backup copies, paper records were transferred to discs that were backed up every night and stored off-site to avoid the loss of production data.

Commissioner Katz understood the monies for this were a loan from the Parking Fund. She was concerned that the Parking Funds were being used for too many other purposes. Mr. Damon Adams, Director of Finance, explained that a "bridge loan" was being created from the Parking Fund because the monies would be assembled over several months. He stated that the Parking Fund would be repaid with a little interest, and the financing would be built into future budgets beginning with the next fiscal year. Therefore, this was a very short-term loan from the Parking System.

Commissioner Katz was concerned that Parking Funds were being used for a lot of different things. Mayor Naugle believed they were primarily related to parking. Commissioner Katz believed this particular item had been offered up for a budget cut when the City Manager had been asked to cut \$2 million out of the budget. Now, however, it was being presented again with the idea of borrowing the money from the Parking Fund.

Mr. Bruce Larkin, Director of Administrative Services, explained that staff had been trying to accumulate enough money over a period of budget years to buy this system with cash. He stated that about \$400,000 had been accumulated, but then there had been a difficult budget year, so a portion of those monies had been put back into the General Fund with the understanding that some of the money for this system would have to be borrowed from within for the short term. Mr. Larkin explained that there had been no intent to cut this system out of the budget altogether but to fund it in a different manner. That had not been Commissioner Katz's understanding. She had thought that this was being cut from the budget because of the budgetary constraints. Even though she felt this was a good idea, she wondered if now was the right time to make this purchase.

Commissioner Smith said he wanted to make sure that this technology was user-friendly. He understood this was "cutting edge" technology and wanted to move with caution. He thought a mistake had been made with the Police Department when a large amount was spent on computers that the officers could not use properly. Mr. Larkin agreed that was a valid concern and always a risk when dealing with new technology. In this case, there had been a yearlong process to evaluate the different software solutions. He reported that site visits had been made in order to speak to those who were actually using the software.

Mr. Larkin advised that the software was being used in Miami Dade County, and that site had been visited by staff. Commissioner Katz believed this system had only been in use in Miami for six months. Mr. Larkin acknowledged that this was relatively new technology, but staff was confident that it could be applied effectively.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 4 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: Commissioner Katz.

Parking Fee Schedule –
Cooley's Landing Boat Ramp Parking Fees (M-7)

Mayor Naugle did not support this item.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-7 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Smith. NAYS: Mayor Naugle.

**Application for Dock Waiver of
Limitations – Paul B. and Margo J. Flanigan – 605 Idlewyld Drive (PH-1)**

A public hearing was scheduled to consider a resolution authorizing the proper City officials to waive the limitations under 47-19.3(d) of the City's Unified Land Development Regulations (ULDR) to allow Paul B. and Margo J. Flanigan to replace an existing fixed "L" shaped concrete pier and maintain an existing floating dock that extends a maximum distance of 31.4 feet, and maintain 3 dolphin pilings that extend a maximum distance of 55.6 feet respectively, from the property line to the Intracoastal Waterway (New River Sound). Notice of the public hearing was published on December 6 and 13, 2001.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Katz understood that a permit had never been issued for this dock. Mr. Jamie Hart, Supervisor of Marine Facilities, clarified that he had found no permit in his research of City records. The owner of the property had indicated the existing dock had been present since the 1950s. He thought it might have been repaired or stabilized, but he believed this was the original structure, and there were many docks in the area that were almost as old.

Mr. Paul Flanigan, applicant, said he had owned the property for three years. However, the original plans for the property showed the dock. He also understood that a permit for repairs had been issued to a previous owner in the early 1980s.

Commissioner Katz thought it appeared that the channel marker was closer to the shore than the dock. Therefore, the boat would be in the channel while docked. Mr. Hart displayed an aerial photograph. He advised that the closest piling was 45' from the edge of the channel. Mr. Hart said that markers were often moved out of the channel itself for safety purposes.

Commissioner Katz asked if the Army Corps of Engineers approved of this request to dock a boat within the channel. Mr. Hart advised that the boat would not be in the channel. Mayor Naugle thought the channel marker might be misplaced on the chart. Mr. Flanigan stated that the item pointed out by Commissioner Katz was actually a dolphin piling for his neighbor's dock and not a channel marker. Commissioner Smith understood the intent was to remodel the dock in the existing location, and it had been approved by the Marine Advisory Board. Mr. Flanigan agreed that was correct. Mayor Naugle suggested that the piling that appeared to be a channel marker be moved because it was probably a hazard to navigation. He also suggested approval of this item subject to the object mentioned not being a channel marker. It was agreed. Mr. Hart agreed to provide a follow-up report.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 01-214

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING THE LIMITATIONS OF SECTION 47-19.3.B & C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW PAUL B. FLANIGAN AND MARGO J. FLANIGAN TO MAINTAIN AN EXISTING L-SHAPED CONCRETE PIER, FLOATIG DOCK AND THREE (3) DOLPHIN PILES THAT EXTEND A MAXIMUM DISTANCE, MORE PARTICULARLY DESCRIBED BELOW, FROM THE WETFACE OF THE SEAWALL INTO THE INTRACOASTAL WATERWAY FOR THE PROPERTY LOCATED AT 605 IDLEWYLD DRIVE MORE PARTICULARLY DESCRIBED BELOW.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Program Amendment
to the Consolidated Plan – Fiscal Years 2002 to 2005 –
Guidelines for HOME Funded Affordable Rental Housing Units (PH-2)**

A public hearing was scheduled to consider a program amendment to the Consolidated Plan for Fiscal Years 2002 through 2005 that identifies guidelines for HOME funded affordable rental housing units. Notice of the public hearing was published on December 6 and 13, 2001.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the Program Amendment as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Convey Property to the Fort Lauderdale Community
Redevelopment Agency (CRA) – Redevelopment of Sweeting Estates Area (PH-3)**

A public hearing was scheduled to consider the conveyance of certain public property to the Fort Lauderdale CRA for redevelopment of the Sweeting Estates Area and other redevelopment purposes.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Ms. Kim Jackson, CRA Director, stated that these properties were intended for conveyance to the CRA, and the end destination was in line with the concept plan for the Sweeting Estates Infill Housing Project.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-215

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONFIRMING RESOLUTION NO. 01-195, WHICH DETERMINED AND DECLARED THE INTENTION TO CONVEY CERTAIN PUBLIC PROPERTIES TO THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY FOR REDEVELOPMENT WITHIN THE NORTHWEST-PROGRESSO-FLAGLER HEIGHTS COMMUNITY REDEVELOPMENT AREA, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEED OF CONVEYANCE TO THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY FOR SUCH PROPERTIES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Convey Property to the Housing Authority
of the City of Fort Lauderdale for Development of Affordable Housing (PH-4)**

A public hearing was scheduled to consider the conveyance of certain public property to the Housing Authority of the City of Fort Lauderdale for development of new affordable housing.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Mr. Phil Bacon, Redevelopment Projects Manager, stated that this was a proposal to convey nine scattered sites to the Housing Authority of the City of Fort Lauderdale for construction of new rental units.

Commissioner Smith said that the Housing Authority Building was being torn down, and new housing would be created. However, it appeared a decision had been made to place this low-income housing in one part of one district. He was not sure that was the appropriate philosophy. Commissioner Smith wanted the community to be desegregated along all lines, including color, income level, etc., rather than putting all the poor people in one area.

Mr. Bacon stated that these properties were previously purchased with HOME Funds, and regulations required that these homes be made available to low-income persons. Commissioner Smith thought the funds could be switched with some other program and something different done with this property. Mr. Bacon said that might be true. He added that during a meeting of the Community Redevelopment Advisory Board there had been a tour of all of these lots, as well as the Housing Authority properties in the area. He believed the Board had voted unanimously that this would benefit the community in terms of in-fill housing and providing sorely needed housing for those who lived in the area.

Commissioner Smith said that if these would be owner-occupied units, he would be more supportive. He stated that he would be more comfortable if lots were sought throughout the community so that lower-income individuals would live near those who might be able to provide some mentoring.

Commissioner Moore applauded Commissioner Smith's position, but the Commission was only talking about nine lots. He pointed out that the Lakeview property had 100 units, and there would be opportunities in other locations. Commissioner Moore believed duplexes could be built on these lots to provide 18 units, but he agreed the entire City should be considered when relocating those who lived at the Lakeview property.

Ms. Faye Outlaw, Deputy Director of Community & Economic Development, explained that the City did not segregate all the low- or moderate-income housing. She stated that the Department's philosophy, as the northwest was redeveloped, that it would be a disservice to repopulate the area with only low- or moderate-income individuals. In fact, the City was prohibited from steering all of the low- or moderate-income individuals into one area from a regulatory standpoint. Therefore, staff made every effort to disburse the projects throughout the community.

Ms. Outlaw said quite a bit of effort had gone into trying to have these properties redeveloped for single-family home ownership. However, those efforts had been unsuccessful, and the lots continued to sit in a state of disrepair. She stated that since one of the public housing units was closing, staff had thought this would be an opportunity to provide a little rental housing. Ms. Outlaw believed the current residents of the Lakeview property would be relocated throughout the City and the County.

Commissioner Smith was glad to hear that the Department shared his philosophy, but he did not support this item. He preferred a location for this type of project further to the north of the residential neighborhood. Commissioner Smith understood a rezoning change would be proposed in the three-block area near the Home Depot property. Mayor Naugle suggested that the property near the Home Depot be deleted at this time (identified as Parcel H, Block 114). Ms. Outlaw said that would not present a problem, and it was agreed.

Commissioner Moore said he was confused. He noted that first the Commission had discussed spreading the lower-income housing around, but now they were deciding against doing it on Parcel H. Mayor Naugle said there were some parcels in the area of Northwest 1st Avenue, and there was some discussion about rezoning the area to bring new jobs to the area. He thought the area might, therefore, go into industrial or commercial use rather than residential use, so he did not want a residence built that would be in the middle of business uses.

Commissioner Moore preferred to adopt the resolution as presented. He pointed out that the property did not have to be utilized at this time. Commissioner Smith did not see why anyone would want to do that. Commissioner Moore stated that this action would only transfer the property to the Housing Authority, and he understood Commissioner Smith did not want to build on the site because the zoning might change. Commissioner Smith did not feel it was viable for residential use. Ms. Outlaw stated that these lots were being transferred to the Housing Authority with the condition that units be constructed on the land within a certain timeframe.

Commissioner Moore introduced a written resolution, as amended to delete Parcel H, Block 114, entitled:

RESOLUTION NO. 01-216

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONFIRMING RESOLUTION NO. 01-196, WHICH DETERMINED AND DECLARED THE INTENTION TO CONVEY CERTAIN PUBLIC PROPERTIES TO THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE FOR DEVELOPMENT OF NEW AFFORDABLE HOUSING, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WITH THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE A CONVEYANCE, DEVELOPMENT AND USE AGREEMENT, DEED OF CONVEYANCE, DECLARATION OF RESTRICTIVE COVENANTS AND DOCUMENTS INCIDENTAL THERETO REGARDING SUCH PROPERTIES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: Commissioner Smith.

Cable Television Franchise – District Cablevision

Limited Partnership (d/b/a AT&T Broadband) – Cable Services for the City (PH-5)

A public hearing was scheduled to consider an ordinance pursuant to Sections 8.15 through 8.19 of the City Charter, approving the renewal of a cable services franchise with District Cablevision Limited Partnership, d/b/a AT&T Broadband, the holder of a franchise, to construct, operate and maintain a cable system over and beneath the public streets and other property of the City; authorizing the proper City officials to execute a cable services franchise agreement with District Cablevision Limited Partnership; and further authorizing the proper City officials to execute a Memorandum of Agreement with District Cablevision Limited Partnership providing for additional terms and conditions to effectuate the renewal of the franchise. Notice of the public hearing was published on December 6 and 13, 2001.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Smith asked when the Commission would decide how to redirect the \$55,000. Mr. Bruce Larkin, Director of Administrative Services, advised those funds would be paid to the City within 14 days of second reading of the ordinance.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-55

AN ORDINANCE PURSUANT TO SECTIONS 8.15 THROUGH 8.19 OF THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE RENEWAL OF A CABLE SERVICES FRANCHISE WITH DISTRICT CABLEVISION LIMITED PARTNERSHIP, D/B/A AT&T BROADBAND, THE HOLDER OF A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM OVER AND BENEATH THE PUBLIC STREETS AND OTHER PROPERTY OF THE CITY OF FORT LAUDERDALE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CABLE SERVICES FRANCHISE AGREEMENT WITH DISTRICT CABLEVISION LIMITED PARTNERSHIP; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF AGREEMENT WITH DISTRICT CABLEVISION LIMITED PARTNERSHIP PROVIDING FOR ADDITIONAL TERMS AND CONDITIONS TO EFFECTUATE THE RENEWAL OF THE FRANCHISE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Mayor Naugle hoped this company understood that the City would be holding it to the standards contained in the agreement, and he looked forward to a positive relationship in the future. He felt this agreement would make up for some of the past difficulties. *Mr. Thomas Carlock*, Vice-President of AT&T Broadband, expressed appreciation for the patience the City had shown.

Vacate a Portion of N.E. 5 Avenue -

Home Depot U.S.A., Inc. – The Home Depot (PZ Case No. 32-P-00) (O-1)

At the Planning and Zoning regular meeting of October 17, 2001, it was recommended by a vote of 8 to 0 that the following application be approved. Ordinance No. C-01-53 was published on November 29 and December 6, 2001, and was approved on first reading December 11, 2001 by a vote of 5-0. (Also see Item O-2 on this Agenda).

Applicant: Home Depot U.S.A., Inc.
Request: Vacate a portion of N.E. 5 Avenue
Location: North of East Sunrise Boulevard and south of N.E. 11 Street, between N.E. 4 Avenue and N.E. 5 Terrace

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-53

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THAT PORTION OF NORTHEAST 5TH AVENUE LYING BETWEEN BLOCKS 181 AND 182, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST 11TH STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF EAST SUNRISE BOULEVARD, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Rezone RMM-25 to CB with Allocation of Flexibility/Site Plan Approval -
Home Depot U.S.A., Inc. – The Home Depot (PZ Case No. 24-ZR-00) (O-2)**

At the Planning and Zoning regular meeting of October 17, 2001, it was recommended by a vote of 8 to 0 that the following application be approved. Ordinance No. C-01-54 was published on November 29 and December 6, 2001, and was approved on first reading December 11, 2001 by a vote of 5 to 0. (Also see Item O-1 on this Agenda).

Applicant: Home Depot U.S.A., Inc.
Request: Rezone RMM-25 to CB with allocation of flexibility/site plan approval.
Location: North of East Sunrise Boulevard and south of N.E. 11 Street, between N.E. 4 Avenue and N.E. 5 Terrace

Mayor Naugle said that he had visited with the company's representatives about this item. Commissioners Hutchinson, Smith, Katz and Moore made similar disclosures.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-54

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO CB INCLUDING THE ALLOCATION OF FLEXIBILITY UNITS AND SITE PLAN APPROVAL FOR A HOME IMPROVEMENT AND LAWN AND GARDEN CENTER; LOTS 37 THROUGH 44, BLOCK 181, AND LOTS 1 THROUGH 9, BLOCK 182, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LOCATED ON EACH SIDE OF NORTHEAST 5TH AVENUE, BETWEEN EAST SUNRISE BOULEVARD AND NORTHEAST 11TH STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amend Section 26-91 – Increase Fines for Parking Violations and Clarify Surcharge Imposed to Fund the School Crossing Guard Program (O-3)

An ordinance was presented amending Section 26-91 of the City Code of Ordinances in order to increase fines for certain parking violations and clarify the surcharge imposed to fund the School Crossing Guard Program. Notice of the proposed ordinance was published on December 8, 2001.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-56

AN ORDINANCE AMENDING SECTION 26-91 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA IN ORDER TO INCREASE FINES FOR CERTAIN PARKING VIOLATIONS AND CLARIFYING THE SURCHARGE IMPOSED TO FUND THE SCHOOL CROSSING GUARD PROGRAM.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Katz noted that a parking study had been done not long ago, and she asked that the subject be placed on an upcoming Conference agenda.

Executive Airport – Joint Participation Agreement (JPA) with Florida Department of Transportation (FDOT) – Noise Program Enhancements, Phase II (R-1)

A resolution was presented authorizing the proper City officials to execute a JPA with FDOT in the amount of \$7,500 for the State's share of \$7,500 for a \$150,000 project for the Noise Program Enhancements, Phase II.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-217

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A GRANT FOR PARTIAL FUNDING FOR NOISE MONITORING ENHANCEMENTS AT FORT LAUDERDALE EXECUTIVE AIRPORT; AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO RECEIVE SUCH GRANT FUNDING.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Demolition of Building (R-2)

At its October 18, 2001 and/or November 15, 2001 meetings, the Unsafe Structures and Housing Appeals Board recommended that the City demolish the following building and assess the property with associated costs (at the December 11, 2001 meeting, the City Commission deferred consideration of this property to the December 18, 2001 meeting by a vote of 5 to 0):

- a. 1601 S.W. 20 Street (Lamination Building)

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-218

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Extension of Site Plan Approval -
The Abdo Companies – "The Symphony" Project (PZ Case No. 8-R-99) (R-3)**

A resolution was presented authorizing an extension of the time of site plan approval, from January 18, 2002 to July 18, 2003, which represented an additional 18 months.

Applicant: The Abdo Companies
Request: Extension of site plan approval
Location: 518 West Las Olas Boulevard

Commissioner Smith assumed the applicant would not build during the extension period, and he was concerned about the condition of the site during that time. If construction did not commence within a certain period of time, Commissioner Smith desired some commitments as to how the site would be maintained.

Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item:

Mr. Frank Abdo, representing the applicant, said he had been in contact with Officer Rick Temple who worked in the Sailboat Bend area. He had recently indicated that there were "undesirables" inhabiting the existing buildings, and Mr. Abdo had agreed to remove the structures. It had then been suggested that the buildings be used for fire training. Nevertheless, the buildings would be removed when that was done, and he felt there was a unique opportunity here if the Broward Center for the Performing Arts wanted to participate in this project.

Mr. Mark Nerenhausen, of the Broward Center for the Performing Arts, agreed there was an opportunity in this case as this organization was in the middle of a needs assessment program. He explained that capacity had been reached in just ten years, and this property was adjacent to the Broward Center for the Performing Arts. Mr. Nerenhausen thought there were potential benefits to both parties, and he joined with the applicant in this extension request to pursue the possibilities.

Commissioner Smith said his only concern was when the buildings would be demolished and whether or not the lot would be sodded if construction did not commence within a reasonable period of time. Mr. Abdo stated that permits were required, although applications had been submitted.

Mayor Naugle asked if this would tie up units. Ms. Cecelia Hollar, Construction Services, replied that it would. Mayor Naugle understood that if another developer came forward with a project that was ready to go, these units would not be available. Ms. Hollar agreed that was true. Mayor Naugle suggested a 6-month extension instead of tying up these units for 18 months when the project might or might not come to fruition. There were no objections.

Commissioner Hutchinson disclosed that she had spoken with Mr. Robert Lochrie, and Commissioner Moore had spoken with a representative as well. Mayor Naugle advised that he had received a favorable letter from the Sailboat Bend neighborhood.

Commissioner Moore introduced, as amended, a written resolution entitled:

RESOLUTION NO. 01-219

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO EXTEND THE TIME OF THE SITE PLAN APPROVED IN CONNECTION WITH THE DEVELOPMENT OF A MULTI-FAMILY DWELLING ON THE NEW RIVER LOCATED AT 518 WEST LAS OLAS BOULEVARD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Fusion (OB)

Mayor Naugle advised that there had been recent newspaper articles about the Fusion, and it had occurred to him that if there was discussion with the Attorney General's Office about whether or not baseball could contract the League, there was probably a stronger case for the same thing to occur with soccer. He had received a lot of calls from people who were anxious about the loss of the Fusion if the team was contracted or eliminated. Mayor Naugle suggested that the City contact the State Attorney's Office to ask them to look into the matter. There were no objections, and Mayor Naugle said he would make a call or send a letter. He had also spoken with the owner of the team who had indicated no decision had yet been made. He felt that if the corporate community stepped up, the team could be kept together. Mayor Naugle thought that having a professional soccer team helped in the promotion of Fort Lauderdale around the world.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:
Board of Trustees, General Employees Retirement System John Tomlinson

Board of Trustees, Police and Firefighters Retirement System Malcolm Farrell

Budget Advisory Board Sherry Lynch McVey

Charter Review Board Dan Lewis

Citizen Review Board Linda Shallenberger
Donald J. Bastedo
Captain Bob Lamberti
Sergeant Kevin J. Sheehan
Detective Edward Robinson

Downtown Development Authority Charlie Ladd
Alan Hooper

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-220

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.**

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Haiti Flag Day Ceremony (OB)

Mayor Naugle said he had received a request today from Congressman Alcee Hastings office to assist the Office of the United States Ambassador to Haiti in a Flag Day ceremony at City Hall on January 2, 2002. He stated that the flag of Haiti would be raised at City Hall, and some assistance from the Police Department had been requested. In addition, the Public Information Office would provide a press release. Mayor Naugle advised that a representative of the City had also been requested to attend a mass on January 1, 2002 if anyone was available.

At 7:58 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk